

REMARKS

Claims 1-38 remain pending in the application.

Section 103(a) Rejection:

During a telephone call on November 15, 2005 between Applicants' undersigned attorney and Examiner Jacobs, the Examiner stated that the 103(a) rejection is being withdrawn. The Examiner requested a terminal disclaimer to obviate any potential obviousness-type double patenting rejection in regard to application no. 10/090,203. Although Applicants disagree that any such obviousness-type double patenting rejection would be proper, a terminal disclaimer is nevertheless submit herewith for expediency. The application is now ready for allowance.

CONCLUSION

Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-10500/RCK.

Also submitted herewith are the following items:

☒ Terminal Disclaimer

Respectfully submitted,

/Robert C. Kowert/
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